

**BOARD OF OPTOMETRY**

2420 DEL PASO ROAD, SUITE 255
SACRAMENTO, CALIFORNIA 95834
TEL: (916) 575-7170
www.optometry.ca.gov

**FREQUENTLY ASKED QUESTIONS ABOUT THE DENIAL OF AN APPLICATION****Q: UNDER WHAT CIRCUMSTANCES MAY THE BOARD DENY MY APPLICATION FOR A LICENSE?**

A: The board may deny your application for a license if you have been convicted of a crime; performed any act involving dishonesty, fraud or deceit; knowingly made a false statement of fact required to be revealed in your application; or performed any other act "substantially related to the functions or duties" of the profession, occupation or business for which you submitted an application. Grounds for denying an application are listed in Business and Professions Code sections 475 and 480. (Refer to <http://www.leginfo.ca.gov/calaw.html> for law code specifics.)

Q: IF MY APPLICATION FOR A LICENSE IS DENIED, WILL I BE TOLD WHY?

A: If your application for a license is denied, the board will send notice of the denial to you. That document will state the reason(s) for the denial.

Q: WHAT IF I DO NOT AGREE WITH THE REASON(S) WHY MY APPLICATION FOR A LICENSE WAS DENIED?

A: Upon the denial of an application for a license, you have the right to request a formal administrative hearing.

Q: HOW DO I REQUEST A HEARING?

A: If you want a hearing on the denial of your application, you must submit a request for a hearing to the board's office within 60 days from the date the notice of denial was served on you. After 60 days, if you do not submit a written request to the board, your right to a hearing is automatically waived, and the denial of your license becomes final.

Q: ARE ATTORNEYS AND WITNESSES ALLOWED AT THE HEARING?

A: A deputy attorney general will represent the board, and an attorney may also represent you during all stages of the proceedings. That means your attorney may request the hearing on your behalf and also represent you during the hearing. Witnesses are also permitted to testify.

Q: WHAT TAKES PLACE DURING THE HEARING?

A: During the hearing, each party is given an opportunity to make opening statements, call witnesses and offer relevant evidence.

Q: WHAT TAKES PLACE AFTER THE HEARING?

A: After the hearing, the administrative law judge will prepare a proposed decision and submit it to the full Board for its consideration. The full Board may adopt the proposed decision as its decision in the matter, or reject it and make a final determination of the denial on its own.

Q: WHAT IF I DO NOT REQUEST A HEARING AFTER MY APPLICATION FOR A LICENSE HAS BEEN DENIED?

A: If you do not request a hearing, the earliest date upon which you may reapply for a license is one year from the date that notice of the denial was served on you.